



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,875	02/27/2004	Michael D. Ellerman	61224.82416-001	7152
24335	7590	03/23/2006	EXAMINER	
WARNER NORCROSS & JUDD LLP			AVERY, BRIDGET D	
900 FIFTH THIRD CENTER			ART UNIT	
111 LYON STREET, N.W.			PAPER NUMBER	
GRAND RAPIDS, MI 49503-2487			3618	

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/788,875	ELLERMAN, MICHAEL	
	Examiner	Art Unit	
	Bridget Avery	3618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/06/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-7 and 9-14 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Garrity (US Patent 2,793,705).

Garrity teaches a vehicle hood assembly including: a hood panel including a central portion (22) and opposing lateral portions (46), each of the lateral portions (46) having a lateral edge; a pair of fender panels (26), said fender panels (26) each including an edge, the fender panels (26) each attached to one of said opposing lateral portions (46) of the hood panel (22) such that the edge of the fender panel (26) is secured to the central portion (22) of the hood panel at a first attachment point (clearly shown in Figure 3), and the lateral edge of the hood panel (22) is secured to the fender panel (26) inward of the edge of the fender panel (26) at a second attachment point, creating a chamber between the hood panel (22) and said fender panel (26) in between the first attachment point and the second attachment point (also clearly shown in Figure 3); the fender panels are L-shaped between the first and second attachment points; the chamber between the L-shaped sections of the fender panels and the lateral portions of hood panel (22) forms an air channel, which is clearly defined by flanges (20); the

Art Unit: 3618

chamber has a generally box-shaped cross section; the L-shaped section of the fender panel (26) includes at least one step, which is defined by element 24. Re claims 6 and 9-14, note teaching of forming the hood panel "preferably of a thin sheet of plastic material having one or more apertures in it through which the manufacturers insignia may be observed". The method for manufacturing a vehicle hood including: injection molding a hood panel having a central portion and downwardly extending lateral portions; injection molding a pair of fender panels, each fender panel having a first, L-shaped section adapted to attach to the hood panel and a second section extending from the first section; and attaching the fender panels to opposing sides of the hood panel at a first location in the central portion, and a second location in the lateral portion, forming a chamber between the hood panel and the fender panel between the first and second locations, is inherently taught.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garrity ('705).

Garrity teaches the features described above. Garrity further teaches the use of "bolts or other standard fasteners" to hold molding in place on the hood (in column 2, lines 37-39).

Garrity lacks the exact teaching of using a nut and bolt at the first and second attachment points.

Based on the teachings of Garrity, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to use a nut and bolt at the first and second attachment points, since such fasteners were readily available and inexpensive to keep manufacturing cost low.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hamada et al. shows a hood structure of motor vehicle.

Mochida shows an arrangement for restraining hoods of vehicle bodies.

Schmidt et al. shows a passenger motor vehicle with yielding body front sections.

Mair et al. shows a method of precise fitting of motor vehicle front end sheet metal.

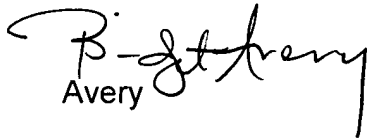
McCormick shows a combined hinge and latch mechanism for motor car hoods.

Gould shows an automobile hood, fender and lamp construction.

Anderson shows a front fender construction.

Art Unit: 3618

4. Any inquiry concerning this communication should be directed to Bridget Avery at telephone number 571-272-6691.


Avery

March 17, 2006



CHRISTOPHER P. ELLIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600